

REMARKS

The amendments to the claims were made in order to comply with the Examiners rejections based on 35 U.S.C. 112, second paragraph, as further discussed below. Additionally, claim 16 has been amended to include the limitation of previous claim 23.

The grammatical error in claim 16(c) has been corrected to include "an oxidised surface layer". Therefore, applicant submits that the rejection has been overcome.

Claims 16-26 stand rejected under 35 U.S.C.112, second paragraph as being indefinite because no bacteria has been added prior to step c). Claim 16 has been amended to include a reference to bacteria in the preamble of the claim. Therefore, applicant submits that the rejection has been overcome.

Claims 17-24 are rejected because they depend from a cancelled claim. Claims 17-24 have been amended to correctly depend from claim 16. Therefore, applicant submits that the rejection has been overcome.

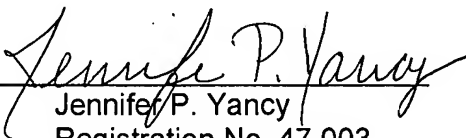
Claim 26 stands rejected as being indefinite because no bacteria has been added prior to step d). Claim 26 has been amended to include a reference to bacteria in the preamble of the claim. Therefore, applicant submits that the rejection has been overcome.

Claims 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Livesey-Goldblatt. Claim 16 has been amended to include the limitation of claim 23 where the step of recovering base metal from the solution is accomplished using solvent extraction or in exchange techniques. Since claims 17-19 depend from the amended claim, this limitation would likewise be read into these claims.

Therefore, applicant submits that the rejection of these claims has been overcome.

In view of the foregoing, Applicant respectfully submits that claims 16-22 and 24-26 are now in condition for allowance. Accordingly, favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

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